

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WILMINGTON DIVISION

IN RE:

JAMES ALFRED ROSE, III

CASE NUMBER:

08-00625-8-JRL

DEBTOR(S)

(CHAPTER 7)

**RESPONSE TO MOTION TO LIFT STAY  
FILED BY AMERICAN HOME MORTGAGE SERVICING, INC. (DE 170)**

The undersigned Trustee serving in the above referenced case herewith responds and objects to the Motion for Relief from Stay filed by American Home Mortgage Servicing, Inc. in this case based upon the following:

This case was recently converted to Chapter 7 and the Chapter 7 Trustee has not had an opportunity to examine the Debtor regarding this property. The Trustee needs time to conduct the Chapter 7 § 341 meeting of the creditors and to receive and review certain documents and information with regard to this account.

Request for Account History: In accordance with Local Rule 4001-2(c), the Trustee hereby requests that the creditor promptly provide a statement of account showing a history of all advances, charges, payments, and credits, and the current payoff amount on the loan.

DATED:

June 5, 2008

BUTLER & BUTLER, L.L.P.



Algernon L. Butler, III  
Attorneys for the Trustee  
NC State Bar No. 20881  
P. O. Box 38  
Wilmington, NC 28402  
Telephone: (910) 762-1908  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies under penalty of perjury that (s)he is over eighteen (18) years of age, and that the

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in the above captioned case was this day served upon the below named persons as follows:

By electronic service through CM/ECF:

Dean R. Davis  
Allen, MacDonald & Davis PLLC  
1508 Military Cutoff Road, Suite 102  
Wilmington, NC 28403

Sarah Miranda  
Hutchens, Senter & Britton, P.A.  
4317 Ramsey Street  
P.O. Box 2505  
Fayetteville, NC 28302

Bankruptcy Administrator  
Post Office Box 3758  
Wilson, NC 27895-3758

By mailing, postage prepaid, first class mail, or by certified mail return receipt requested if indicated below, or by facsimile if indicated below, of a copy of such instrument to such persons, parties and/or counsel at the address shown below:

James Alfred Rose, III  
519 Spencer Farlow Drive  
Carolina Beach, NC 28428

Dated:

June 5, 2008

BUTLER & BUTLER, L.L.P.



P.O. Box 38  
Wilmington, NC 28402  
(910) 762-1908